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STATE OF DELAWARE
DEPARTMENT OF STATE

DIVISION OF PROFESSIONAL REGULATION

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PUBLIC MEETING MINUTES:	DELAWARE REAL ESTATE COMMISSION
MEETING DATE AND TIME:	Thursday, February 9, 2012 at 9:00 a.m.
PLACE:	861 Silver Lake Boulevard, Dover, Delaware Conference Room A , Second Floor of the Cannon Building
MINUTES APPROVED:	March 8, 2012

MEMBERS PRESENT

Christopher J. Whitfield, Professional Member, Vice Chairman
James C. Brannon, Jr., Public Member
Gilbert Emory, Public Member
Patricia O'Brien, Public Member
Ricky H. Allamong, Professional Member
Vincent M. White, Professional Member
Joseph F. McCann, Public Member

DIVISION STAFF/ DEPUTY ATTORNEY GENERAL

Allison Reardon, Deputy Attorney General
Gayle Melvin, Administrative Specialist III

MEMBERS ABSENT

Andrew Staton, Professional Member, Chairperson
Michael Harrington, Sr., Professional Member, Secretary

ALSO PRESENT

Tim Riale
Doug Doyle
Crystal Hudson, SCAOR
Denise Tatman, DAR
Andrew Taylor, Esquire
John Brady, Esquire

Linda Bradley-Thompson
Cecelia Lewis
Lorena Hartnett, Court Reporter
Beth Balogh, KCAOR
Gertie Hillman

CALL TO ORDER

Mr. Whitfield called the meeting to order at 9:01 a.m.

REVIEW OF MINUTES

A motion was made by Mr. White, seconded by Mr. Emory to approve the minutes of the meeting held on January 12, 2012. The motion passed unanimously.

NEW BUSINESS

Education Committee Report

Mr. Doyle reported on the Education Committee meeting held on February 2, 2012. Mr. Allamong asked about the status of the on-line Delaware law portion of the pre-licensing course. Mr. Doyle will follow up with Andy Taylor on the status. Mr. White inquired about approved instructors with ARELLO. Mr. Doyle will follow up on this.

Recommendation to Approve and Deny Course Providers, Instructor Applications and Student Requests as Noted

A motion was made by Mr. White, seconded by Ms. O'Brien to approve and deny course providers, instructor applications and student requests as noted in the minutes of the February 2, 2012 meeting of the Real Estate Education Committee. The motion passed unanimously.

Applications for Licensure

Ratification of Salesperson Applications

A motion was made by Mr. Brannon, seconded by Mr. White to ratify the following new salesperson applicants as presented:

Brad Ruppel, CBRE, Inc., Philadelphia, PA
Deborah Brady, Century 21 Alliance, Aston, PA
James Brady, Century 21 Alliance, Aston, PA
Beverly Marta, Mann & Sons, Inc., Rehoboth Beach, DE
Christopher Holt, Prudential Gallo Realtors, Lewes, DE
Wesley Piper, Jack Lingo Realtor, Rehoboth Beach, DE
Jennifer Piper, Jack Lingo Realtor, Rehoboth Beach, DE
Karen Brown, ReMax Eagle Realty, Smyrna, DE
Kevin Burton, The Mark Fritschle Group Condominium Realty, Ltd., Ocean City, MD
Terence Thomas, NextRE, Inc., Middletown, DE
Edward Searle, Coldwell Banker Residential Brokerage, Bethany Beach, DE
Christopher Payne, Realty Mark First State, Newark, DE
Corina Ciupei, Weichert Realtors, Wilmington, DE

Mark Conomon, Weichert Realtors, Wilmington, DE
Catherine Hughes, Prudential Gallo Realtors, Bethany Beach, DE
Danielle Musser, Adkins Real Estate, Inc., Seaford, DE
Janet Brendel, Coldwell Banker Residential Brokerage, Bethany Beach, DE
Chris Long, Seashore Realty, Inc., Fenwick Island, DE
Luciana Gorum, Keller Williams, Newark, DE
Linda Farrall-Smith, Keller Williams Realty at the Beach, Lewes, DE
Colleen Madsen, Patterson-Schwartz, Dover, DE
Karl Kurtz, Prudential Fox & Roach, Greenville, DE
William Wood, Jack Lingo Realtors, Lewes, DE
Kathleen Wood, Jack Lingo Realtors, Lewes, DE
Toni Bowersox, Patterson-Schwartz, Greenville, DE
Kamaryn Little, Mann & Sons, Inc., Rehoboth Beach, DE
Larry Duan, Re/Max Sunvest Realty, Wilmington, DE
Margaret Wallace, Keller Williams, Newark, DE
Teresa Graham, Keller Williams Realty at the Beach, Lewes, DE
Andrew Segall, Segall Group, LLC, Baltimore, MD
Jennifer Nguyen, Weichert Realtors, Wilmington, DE

The motion passed unanimously.

Review of Salesperson Applications

The application of Shawn Harrison for a salesperson's license was reviewed. A motion was made by Mr. Allamong, seconded by Mr. Emory to approve this application. The motion passed by majority vote. Mr. White voted against the motion.

The application of Tanya Gibbs for a salesperson's license was reviewed. A motion was made by Mr. White, seconded by Mr. Brannon to approve this application. The motion passed unanimously.

The application of Stan Fisher for a salesperson's license was reviewed. A motion was made by Mr. Brannon, seconded by Mr. Emory to approve this application. The motion passed by majority vote. Mr. White recused himself from the vote on this application.

The application of David Foster for a salesperson's license was reviewed. A motion was made by Mr. White, seconded by Mr. Brannon to propose to deny this application due to Mr. Foster's criminal history record. The motion passed unanimously.

The application of Marisa Chaves for a salesperson's license was reviewed. A motion was made by Mr. Allamong, seconded by Mr. McCann to approve this application. The motion passed unanimously.

The application of Kathleen Heath for a salesperson's license was reviewed. A motion was made by Mr. Allamong, seconded by Mr. White to deny the waiver request and to propose to deny Ms. Heath's application. In the proposal to deny letter, it will state that in the alternative, Ms. Heath can advise the Commission that she will take the law portion of the pre-licensing course. If she does that, the Commission will withdraw the proposal to deny and approve her contingent on completing the course. The motion passed unanimously.

HEARING

Linda Bradley-Thompson Regarding the Commission's Proposal to Deny of Her Application for a Broker's License

Ms. Reardon called the formal hearing to order at 9:27 a.m. At its meeting on January 12, 2012, the Commission proposed to deny Ms. Bradley-Thompson's application for a resident broker's license because she did not meet the requirements for licensure set forth in Rule and Regulation 3.2.2 which states that the applicant shall submit to the Commission a list of at least thirty (30) sales or other qualified transactions, showing dates, location, purchaser's name and seller's name. These sales must have been made by the applicant within the previous five (5) years through the general brokerage business and not as a representative of a builder, developer, and/or subdivider. Transactions involving time-shares, leases, or property management are not qualified transactions for purposes of obtaining a real estate broker's license. The Commission reserves the right to waive any of the above requirements, upon evidence that the applicant possesses sufficient experience in the real estate business or demonstrates collateral experience to the Commission. Ms. Bradley-Thompson set forth, in writing, that she wished to waive her right to 20 days' notice of the hearing and wanted to proceed with the matter at this meeting.

Present for the hearing were Ms. Bradley-Thompson, John Brady, Esquire and Cecelia Lewis, broker. Verbatim testimony was recorded by the court reporter. Mr. Brady presented testimony on behalf of Ms. Bradley-Thompson. Ms. Bradley-Thompson answered questions from Mr. Brady and Commission members. Ms. Lewis answered questions from Mr. Brady and Commission members.

The Commission went off the record at 9:57 a.m. to hold deliberations. The Commission went back on the record at 9:59 a.m. A motion was made by Mr. White, seconded by Mr. Brannon to approve Ms. Bradley-Thompson's application for an associate broker's license. The motion passed unanimously. The hearing ended at 10:01 a.m.

NEW BUSINESS CONTINUED

Review of Broker Applications

A motion was made by Mr. White, seconded by Mr. McCann to approve the following broker applications:

Brittany Danahy (associate broker)
Glenn Blumenfeld (broker)
John McMahon (broker)
Joseph Sciarrino (broker)
Christopher Carr (broker)
John Fifer (associate broker)
Christopher Kavanagh (associate broker)

The motion passed unanimously.

Review of Applications for New Offices

The application of Musi Commercial Properties, Inc. for a new office was reviewed. A motion was made by Mr. Whitfield, seconded by Ms. O'Brien to approve this application. The motion passed unanimously.

The application of Elm Properties, LLC for a new office was reviewed. A motion was made by Mr. White, seconded by Mr. Brannon to approve this application pending verification that the designated on-site manager has the required five years of experience. The motion passed unanimously.

Review of Applications for Reinstatement

The application of Paul Snipes, Jr. for reinstatement of a salesperson's license was reviewed. A motion was made by Mr. White, seconded by Mr. Brannon to approve Mr. Snipes for reinstatement pending passing the state portion of the exam. The motion passed unanimously.

The application of Melissa Perdue for reinstatement of a salesperson's license was reviewed. A motion was made by Mr. White, seconded by Ms. O'Brien to approve Ms. Perdue for reinstatement pending passing the state portion of the exam. The motion passed unanimously.

Status of Complaints

Complaint No. 02-18-10 – Closed

Complaint No. 02-19-10 – Closed

Complaint No. 02-42-10 – Referred to the Attorney General's Office

Complaint No. 02-02-12 – Assigned to Mr. White

Discussion: Updating the Pamphlet Versions of the Consumer Information Statements

An inquiry had been received asking if the Commission planned to print the tri-fold brochure of the new Consumer Information Statements. It was decided that the Commission will take this suggestion under consideration and it will be on the agenda for the next meeting.

Discussion: House Bill 249

A discussion was held concerning House Bill 249. House Bill 249 eliminates the continuing education requirements for a real estate broker, associate broker or salesperson who has continuously held that type of license in Delaware for 40 years or more. A motion was made by Mr. White, seconded by Mr. McCann to draft a letter to Mr. Collins stating that the Commission opposes this Bill. The motion passed unanimously. Mr. Allamong will draft the letter for Mr. Staton's signature.

Review of Proposed Revisions to the Real Estate Education Guidelines and Rules and Regulations

Mr. Whitfield reported that due to Ms. Heeney being out of the office, the draft of the proposed revisions to the Education Guidelines and Rules and Regulations has not yet been completed. It was decided to move forward without the final draft.

A recess was taken from 10:29 a.m. to 10:43 a.m.

Mr. Whitfield reviewed the following substantive changes that had been made at the last Subcommittee to Review Statute Revisions meeting. Section 3.0 will be put in the Commission's rules and regulations. Section 4.0 is from the appendix and the number of pre-licensing course hours will remain at 99 hours. In Section 5.0 the numbers and letters may change. Section 6.0 will be changed to the new module continuing education requirements. In 7.2 the last line will be deleted. In 7.2.1 "during a renewal period" will be added. In Section 9.0 the course "Train the Trainer" will no longer be required. Changes were made to the Negative Course Evaluations which will become Section 11.0. A motion was made by Mr. White, seconded by Mr. Brannon to approve the Education Guidelines to go to the

Register of Regulations by February 15, 2012 with edits made by Ms. Heeney and final approval by Mr. Whitefield of the substantive changes made today. The motion passed unanimously. A motion was made by Mr. White, seconded by Mr. Brannon to allow counsel to change the language in the rules and regulations that bring the rules and regulations into compliance with the Division of Professional Regulation's policies and procedures. The motion passed unanimously.

OLD BUSINESS

Review of Application for New Office

The application of NextRE Referral Real Estate for a new office was reviewed. At the request of the Commission, verification of the escrow account and a sign in the name of NextRE Referral Real Estate had been received. A motion was made by Mr. Allamong, seconded by Mr. Emory to approve this application. The motion passed unanimously.

OTHER BUSINESS BEFORE THE COMMISSION (for discussion only)

There was no other business before the Commission.

PUBLIC COMMENT

There was no public comment.

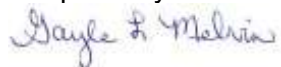
NEXT SCHEDULED MEETING

The next meeting will be held on Thursday, March 8, 2012 at 9:00 a.m.

ADJOURNMENT

A motion was made by Mr. White, seconded by Ms. O'Brien to adjourn the meeting. The motion passed unanimously. The meeting adjourned at 11:36 a.m.

Respectfully submitted,



Gayle L. Melvin
Administrative Specialist III